

REMARKS

Claims 1-173 are now pending in the present application. The election of Group I, consisting of Claims 1-61 is hereby affirmed. Claims 62-173 are cancelled pursuant to the restriction requirement. Additionally, Claims 1, 6-10, 22-24, 27-29, 35-39, and 57-58 have been amended. These amendments have been made to remove the 112(2) rejection below, to remove a previously undetected typographical error, and to further clarify the invention.

Applicant has carefully studied the outstanding Office Action. The present Response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of this application are respectfully requested. No new matter has been added by any of the amendments. Applicant respectfully requests reconsideration and withdrawal of the Examiner's rejections in view of the foregoing amendments and following remarks.

CLAIM REJECTIONS – 35 U.S.C. § 112, Second Paragraph

Claims 22 and 27 have been rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness, as each claim erroneously depended on itself. This inadvertent error has been corrected by the amendments above. Applicants respectfully request withdrawal of the rejection.

CLAIM REJECTIONS OVER PRIOR ART

All extant claims are rejected under either 102 or 103 over the two related Basturk patents (6,587,399 or 6,515,942), either alone or in combination with Arikawa (6,147,934) and/or Brewer et al. (5,636,185). These rejections are respectfully traversed. Because the two independent claims and their dependent claims share the distinctions over these references, the distinctions will be discussed together.

Representative Claim 1 now reads:

1. A watch face with selective backgrounds comprising:
 - a polarizer layer for polarizing light passing therethrough;
 - a liquid crystal display disposed beneath the polarizer layer wherein the liquid crystal display selectively rotates or does not rotate polarized light;
 - a neutral reflective polarizer layer located beneath the liquid crystal display and positioned in a first orientation relative to said polarizer layer, wherein rotated light reflects off the neutral reflective polarizer layer producing a first background on the watch face and non-rotated light is transmitted through the neutral reflective polarizer

layer; and

a reflective non-polarized layer disposed beneath the neutral reflective polarizer layer wherein the light passed through the neutral reflective polarizer layer reflects off the reflective non-polarized layer producing a second background on the watch face.

An embodiment of the claimed invention is shown below in Figures 2A and 2B, taken from the application. The application describes the layers as polarizer layer 220, liquid crystal display (LCD) layer 230, reflective polarizer film 250, and the reflective surface of layer 360.¹

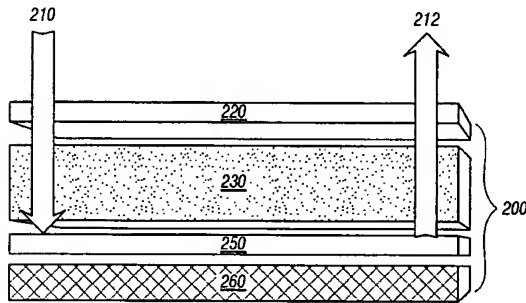


FIG. 2A

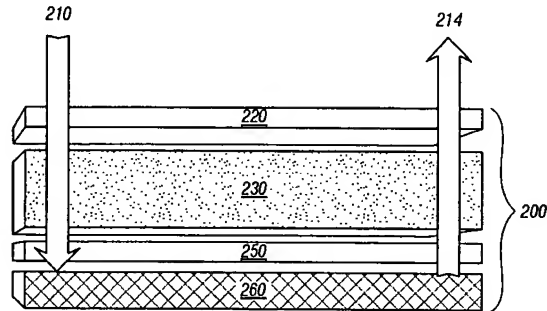


FIG. 2B

In the rejection, the Examiner states,

With respect to claim 1, the reference discloses in Fig. 2 a watch face with selective backgrounds including polarizer layer PAb1, a twisted nematic type liquid crystal display CL beneath the polarizer layer for rotating or not rotating the polarized light (col. 7, line 20-21), reflective polarizer layer PR1 beneath the liquid crystal for reflecting rotated light and producing a first background and transmitted non-rotated light (see col. 7, line 17ff), reflective layer PR2 located beneath reflective polarizer PR1 for reflecting the transmitted light to produce a second background of the watch face (col. 11, line 40).

On the following page, the elements of Basturk '399 are shown with reference to both Figure 1, cited in the office action, and Figure 3, which shows the elements in greater detail.

Figure 3 is described thus,

"this assembly includes at the front a first device I formed by a liquid crystal display module, on either side of which are arranged two absorbent linear polarisers PAb₁ and PAb₂ which are selective of a first colour, for example blue "B", the axes of polarisation of the two polarisers being parallel to each other, and at the back a second device II determining a second colour, for example yellow "Y". This second device II includes at the front, i.e. on the side of first device I, a first reflective polariser PR₁, having an axis of polarisation parallel to the axes of polarisation of the two polarisers of the first device 1, then a filter Fy, which is selective of the second colour "Y" and at the back a second reflective polariser PR₂ whose axis of polarisation is perpendicular to the axis of polarisation of front reflective polariser PR.sub.1.

¹ Application, page 9, line 7 through page 10, line 18

Fig. 1

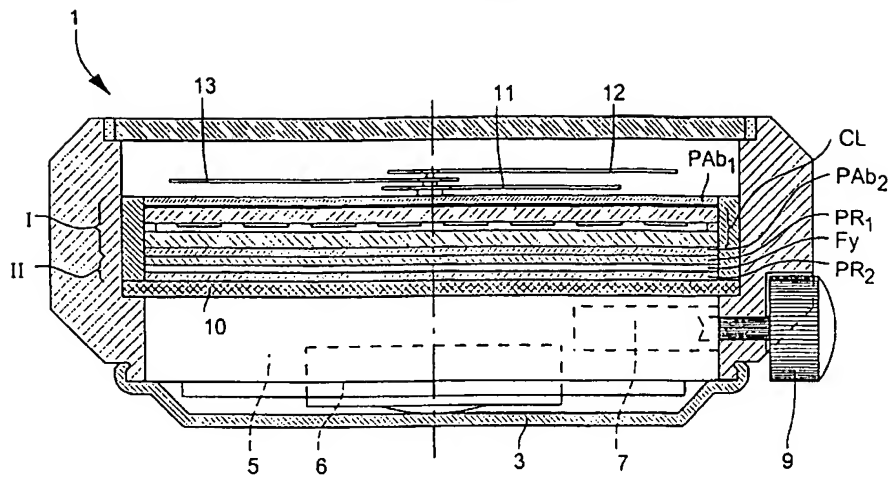
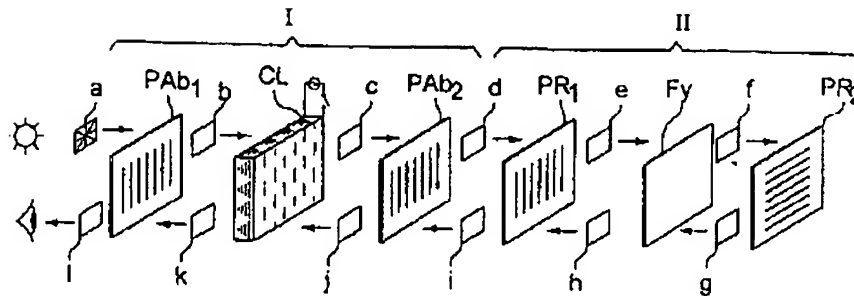


Fig. 3



It is asserted that amended Claim 1 is allowable over Basturk '399 for at least two reasons. First, the reflective polarizer 250 of the present invention, located under the liquid crystal display 240, is neutral. This is supported by the statement that,

Therefore, light 210 passed through LCD 230 in the "OFF" state will be reflected off of the surface of film 250 as the orientation of the light is off from that of the reflective polarizer film 250. The reflected light is then passed back through to the surface of arrangement 200 as merely white light 212.²

This is in contrast to Basturk '399 that states:

First device I includes, starting from the exterior, an absorbent linear polarizer Pab1, which is selective of a first color B, for example blue, a liquid crystal display module CL, and a second absorbent linear polarizer Pab2 which is selective of the same first color B and whose axis of

polarization is the same as first polarizer P_{ab2} .³

Thus, Basturk '399 specifically requires that the first device I provide for color absorption so that the reflected light is a first color. Of course, absorbing part of the spectrum of incident light also diminishes the brightness of the reflected light, making the display darker.

Additionally, Applicant's reflective layer 260 is non-polarized. The Examiner has compared Applicant's layer 260 with a portion of the second display II from Basturk '399, which uses second reflective polariser PR_2 for a reflector. Unlike Basturk's reflector PR_2 , Applicant's layer 260 does not need to be a polarized layer. Instead, it can be a patterned, textured, or colored, as claimed in several of the dependent claims. Light that passes through the Applicant's LCD 230 will be reflected off this layer 260 and appear to a user as having the same pattern, texture, or color. This is a far more efficient manner of producing a colored display than taught in Basturk '399.

Basturk '942 is similar to Basturk '399 in the details discussed above. Additionally, neither Arikawa nor Brewer provide support for the limitations lacking in Basturk. Therefore, all art rejections are believed overcome and the claims are asserted to be allowable.

³ Basturk, col. 2, lines 52-58

CONCLUSION

Applicant believes the claims are in condition for allowance. It is respectfully urged that the subject application is patentable over references cited by Examiner and is now in condition for allowance. Applicant requests consideration of the application and allowance of the claims. If there are any outstanding issues that the Examiner feels may be resolved by way of a telephone conference, the Examiner is cordially invited to contact David W. Carstens at 972.367.2001.

The Commissioner is hereby authorized to charge any additional payments that may be due for additional claims to Deposit Account 50-0392.

Respectfully submitted,

By: 

David Carstens

Registration No. 34,134

Attorney for Applicants

Date: December 19, 2003
CARSTENS, YEE & CAHOON, L.L.P.
P.O. Box 802334
Dallas, TX 75380
(972) 367-2001 *Telephone*
(972) 367-2002 *Facsimile*